

9042/RHD
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Attorneys for Defendant SM China Co. Ltd.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAN FERROSTAAL, INC.

Plaintiffs,

- against -

M/V DUBAI JEWEL, her engines, boilers, tackle,
etc., JEWEL MARITIME LTD., OASIS SHIP
MANAGEMENT LLC, OASIS MARITIME
SERVICES LLC, SM CHINA CO., LTD.

Defendants.

07 Civ. 5835 (WHP) (KNF)

ANSWER TO CROSS CLAIM

Defendant SM China Co. Ltd. ("SM China"), by its attorneys, Cichanowicz, Callan, Keane, Vengrow & Textor, LLP, answering the cross-claim of defendants Jewel Maritime Ltd., Oasis Ship Management LLC, and Oasis Maritime Services LLC, alleges upon information and belief as follows:

1. Denies the allegations of paragraph 24.
2. Denies the allegations of paragraph 25.

FIRST AFFIRMATIVE DEFENSE

3. This Court lacks subject matter jurisdiction under the Foreign Sovereign Immunities Act, and SM China preserves all defenses under said act.

WHEREFORE, SM China prays for:

- (a) An order dismissing the cross-claim;
- (b) An award of all costs including attorneys' fees;
- (c) Such other and further relief as this Court may deem just and proper.

Dated: New York, New York
January 25, 2008

Respectfully submitted,

CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP
Attorneys for Defendant SM China Co. Ltd.

By: s/ Randolph H. Donatelli
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New York, New York 10018
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CERTIFICATE OF SERVICE BY ECF AND U.S. MAIL

The undersigned declares under penalty of perjury that the following is true and correct:

1. I am over the age of eighteen years and I am not a party to this action.
2. On January 25, 2007, I served a complete copy of Defendant SM China Co. Ltd.'s

Answer to Cross Claim by ECF and U.S. Mail to the following attorney at their ECF registered address and by regular U.S. Mail at the following address:

To: Kingsley, Kingsley & Calkins
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Jennifer Scianna
Jennifer Scianna

DATED: New York, New York
January 25, 2008